

2007 DRAFTING REQUEST

Senate Joint Resolution

Received: **12/08/2006**

Received By: **rchampag**

Wanted: **As time permits**

Identical to LRB:

For: **Roger Breske (608) 266-2509**

By/Representing: **Elizabeth**

This file may be shown to any legislator: **NO**

Drafter: **rchampag**

May Contact:

Addl. Drafters:

Subject: **Constitutional Amendments**

Extra Copies: **SRM**

Submit via email: **YES**

Requester's email: **Sen.Breske@legis.wisconsin.gov**

Carbon copy (CC:) to:

Pre Topic:

No specific pre topic given

Topic:

Creation and modification of state funds

Instructions:

See Attached

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?	rchampag 12/08/2006	kfollett 12/08/2006					
/1			rschluet 12/08/2006		sbasford 12/08/2006	cduerst 03/07/2007	

FE Sent For:

<END>

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FE Sent For:

<END>

Champagne, Rick

From: Piliouras, Elizabeth
Sent: Friday, December 08, 2006 8:55 AM
To: Champagne, Rick; Renner, Darin
Subject: Redraft of 2005 SJR21

Hi Rick and Darin:

I think you're the only two left from the discussion last year surrounding SJR21... Rick - Roger would like to have it redrafted as amended by Senate Amendment 1. I was going through my notes and I don't see anything indicating that we were thinking of more changes, but if you remember some from the discussion, please let me know and I'll review them with the Senator.

I have some of the old emails from Peter Dykman and Mary Offerdahl if you want to peruse them to refresh your memories. One of the last emails I received from Peter was some language from Mississippi and Missouri resolutions that were similar to SJR21 - which I can also send to you if you want it for reference.

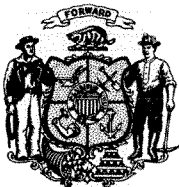
Finally, feel free to expand the discussion. Roger's not hiding anything on this one.

*Thanks!
Beth*

Beth Piliouras

Senator Roger Breske

608-266-2509



State of Wisconsin
2005 - 2006 LEGISLATURE

LRB-1009/4

PJD:wlj:rs

LRB-1070/1
RAC:kjf

2005 SENATE JOINT RESOLUTION 21

2007

April 5, 2005 - Introduced by Senators BRESKE, HARSDORF and GROTHMAN, cosponsored by Representatives HINES, HAHN, MUSSER, KREIBICH, AINSWORTH, BIES, GUNDERSON, JESKEWITZ, BALLWEG, WOOD, F. LASEE and PRIDEMORE.

- gen. cat.

- 1 **To create** section 11 of article VIII of the constitution; **relating to:** the creation of
2 state funds and accounts and prohibiting the state from changing the purpose
3 of any state fund or program revenue appropriation account (first
4 consideration).

Analysis by the Legislative Reference Bureau

2007

X This proposed constitutional amendment, proposed to the 2005 legislature on first consideration, permits the creation of a state fund, or program revenue appropriation account thereof, other than a fund or account related solely to the issuance or payment of public debt or other obligation, only if two-thirds of all the members elected to each house concur therein.

Any state fund, or program revenue appropriation account thereof, created by law before, on, or after the date of ratification of this amendment remains in effect until abolished by law, and the purpose for which the fund or account was created may not be changed by law.

The proposal also provides that a state fund, or program revenue appropriation account thereof, created before, on, or after the date of ratification of this amendment may not be lapsed, transferred, or expended in any manner that would conflict with the purpose of the fund or account. If a state fund, or program revenue appropriation account thereof, is abolished, all unencumbered moneys in the fund or account as of the date the fund or account is abolished are transferred to the general fund of the state.

A proposed constitutional amendment requires adoption by two successive legislatures, and ratification by the people, before it can become effective.

Resolved by the senate, the assembly concurring, That:

SECTION 1. Section 11 of article VIII of the constitution is created to read:

[Article VIII] Section 11 (1) Beginning on the date of ratification of this subsection, the legislature may create by law a state fund, or program revenue appropriation account thereof, other than a fund or account related solely to the issuance or payment of public debt or other obligation, only if two-thirds of all the members elected to each house concur therein.

(2) Any state fund, or program revenue appropriation account thereof, created by law before, on, or after the date of ratification of this subsection remains in effect until abolished by law, and the purpose for which the fund or account was created may not be changed by law.

(3) Moneys in any state fund, or program revenue appropriation account thereof, created before, on, or after the date of ratification of this subsection may not be lapsed, transferred, or expended in any manner that would conflict with sub (2). If a state fund, or program revenue appropriation account thereof, is abolished, all unencumbered moneys in the fund or account as of the date the fund or account is abolished are transferred to the general fund of the state.

SECTION 2. Numbering of new provision. The new section 11 of article VIII of the constitution created in this joint resolution shall be designated by the next higher open whole section number in that article if, before the ratification by the people of the amendment proposed in this joint resolution, any other ratified amendment has created a section 11 of article VIII of the constitution of this state. If one or more joint resolutions create a section 11 of article VIII simultaneously with

Amendment 2-14

1 the ratification by the people of the amendment proposed in this joint resolution, the
2 sections created shall be numbered and placed in a sequence so that the sections
3 created by the joint resolution having the lowest enrolled joint resolution number
4 have the numbers designated in that joint resolution and the sections created by the
5 other joint resolutions have numbers that are in the same ascending order as are the
6 numbers of the enrolled joint resolutions creating the sections.

7 ***Be it further resolved, That*** this proposed amendment be referred to the
8 legislature to be chosen at the next general election and that it be published for 3
9 months previous to the time of holding such election.

10 (END)



State of Wisconsin
2005 - 2006 LEGISLATURE

LRBa0960/1
PJD:kjf:jf

SENATE AMENDMENT 1,
TO 2005 SENATE JOINT RESOLUTION 21

2-14

September 15, 2005 - Offered by Senator BRESKE.

At the locations indicated, amend the joint resolution as follows:

1. Page 2, line 14: delete "sub. (2)" and substitute "the purpose for which the fund or account was created".

(END)

Duerst, Christina

From: Piliouras, Elizabeth

Sent: Wednesday, March 07, 2007 1:05 PM

To: LRB.Legal

Subject: Draft Review: LRB 07-1070/1 Topic: Creation and modification of state funds

Please Jacket LRB 07-1070/1 for the SENATE.

3/7/2007